

LEGISLATION AND RULES COMMITTEE MINUTES

May 23, 2019 – 1pm – 4pm – BOSW Conference Room #340

REMOTE MEETING ACCESS

WebEx Video Conference or Conference Call Participation: Meeting invite sent out by Board includes details for participating via WebEx. Contact Kate Manley at kate.manley@state.mn.us with questions.

COMMITTEE MEMBERS

Board Members Present: Thomas Brooks, Public Member; Jolene Engelking, LISW

Board Members via Phone: Pa Der Vang, LICSW; Shawn Yates, Public Member

Board Members Absent: Angie Hirsch, LICSW, Board Chair; Stephanie Jacobson, LSW; Ken Middlebrooks, Public Member

Board Advisory Committee Stakeholders Present: Lake Dziengel, LICSW, MCSWE; Karen Goodenough, LGSW, NASW-MN

Board Advisory Committee Stakeholders Absent: Karen Frees, LICSW, MN Coalition

Board Staff Present: Kate Zacher-Pate, LSW, Executive Director; Megan Gallagher, JD, Regulations Analyst; Michelle Kramer-Prevost, LISW, Assistant Director

AGENDA

1. **Welcome and call meeting to order: [Hirsch]**
 - a. Engelking chaired in Hirsch's absence
 - b. Engelking called the meeting to order at 1:20 p.m.
2. **Minutes: [Attached]**
 - a. April 25, 2019 approved as drafted
3. **Legislative Strategy Discussion: [All]**
 - a. KZP began discussion noting the Board would need to have bill and language solid in September or October. Also need to provide more opportunities for feedback and vetting of the proposal.
 - b. Because this will be the second year of the biennium, if Board is unsuccessful in 2020, would have to begin with reintroduction of bills. Because of the anticipated controversial nature, it is more strategic to move the county exemption in the first year of the legislative biennium.

- c. In 2020, Board could bring forward the definitions section, mobility, licensing requirements, renewals, etc. 10 sections approved all ready. Staff would like to include CE also.
- d. This is a very large task and moving it all in one package has some risks:
 - i. Difficult to testify and explain all changes
 - ii. Risk of revisor maybe saying must recodify statute (which was not a smooth process last time (missed sections))
 - iii. This will likely be a mix of noncontroversial items, housekeeping, and likely not controversial items. Combining both controversial and noncontroversial items in the same bill can be risky and prevent you from moving anything forward. If a controversial item causes legislature to not act, could lose all the other work as well.
 - iv. This is especially true if consider bringing forward the county exemption. This would not be ready for 2020 session. Intentional work with stakeholders must be completed before moving forward.
- e. On the other hand, many completed sections are mostly noncontroversial. Committee could get those items moved forward and then continue the work. Other considerations with moving forward in 2020:
 - i. BBHT moved mobility this session and it was well received by legislature and passed. Good timing for mobility policy change.
 - ii. Other states have seen outside groups push mobility bills that lack input of boards.
 - iii. Lots of relationship building occurred this year due to budget, fee change, and DTW legislation. Trust and confidence in Board with some key players. All those same legislators will be there in 2020 as well.
- f. Members also noted we need to reconsider the sections which were noted/highlighted for potential cross references to other sections. Potential risk of missing something or have to amend a section later.
- g. Committee members requested that staff create a complete document with our recommended changes so far to get an idea of where we are and what we have completed.
- h. KZP noted Committee will need to decide if we want to even consider going forward in 2020 so we can begin preparing each section to be bill ready.
- i. All state agencies have a representative at the revisor's office and our assigned representative Lauren is open to being invited to the table to assist in getting language bill ready once decisions have been made.
- j. Brooks opined that the Committee should move the mobility and license requirements and as many sections as can be finished. The county exemption should wait until Board can do more vetting and ensure a broad base of support.
- k. Consensus with Board members to bring some items forward in 2020 legislative session.

4. Recap action items and suggestions from April 25 meeting: [All]

- a. 148E.055, subd. 5, Requirements for LICSW (by examination)
 - i. Changes to 360 Clinical Clock Hours Requirement –CE Hours Option (subd. 5(b))
 - 1. Staff recommends new definition of CE independent learning. Discussion about use of the term “online activities”
 - 2. Dziengel noted the committee might want to increase the 90 CE hours to 120. Dziengel noted that schools are being proactive in encouraging students to take more clinical courses which is part of the reason the Board data showed

very few people needed more than 90 hours via CE. Dziengel noted this increase would be a big help to the advanced standing students.

3. Staff reviewed a few additional recommended changes related to operationalizing the requirements. Consensus of the Committee to make these changes.

5. Review Sections with Framework Goals: 1) Promotes Board Mission; 2) Mobility Impact; 3) Competency Standards vs Barriers; 4) Operational Efficiencies; 5) Data Driven Policy; 6) Workforce Issues: [All]

- a. 148E.055, subd. 7, Licensure by endorsement
 - i. Staff presented a recommendation regarding endorsement for the four license types. Agreement that you can get licensed in Minnesota if you are licensed somewhere else but also setting some requirements around new people getting a license and needing to complete supervised practice.
 - ii. KZP noted 95 to 98 percent of licensees have taken the exam and the degree. Those standards are universal.
 - iii. There does not appear to be a policy basis for not granting licensure to grandfathered individuals from other states if we grandfathered many individuals here.
 - iv. Could add acronym to LSW to make it clear that it is the bachelor's degree.
 - v. Recommended changes make it a more efficient application process. Trust that the documentation was verified by the other jurisdiction and will not require the applicant to submit the transcript, exam score, or supervision.
 - vi. Committee members agree supervision requirements should be tied to the years of licensure. Consensus to approve these recommendations and make a recommendation to the full Board.
- b. License Requirements
 - i. 148E.055, subd. 8-11
 1. Staff recommendation to delete subdivision 8 because it has been replaced by 214 CBC.
 2. Some technical changes to the language of effective date and expiration date. Was an intentional decision to set expirations dates via a pro-rated system to spread out the renewals and have a steady revenue stream. Staff recommended no other changes.
 3. Consensus to approve changes to License Requirements and submit to full Board for approval.

6. Recap & Action Items

- a. Staff will go back and review the sections that are complete, put together a master copy of the recommended changes so far, and make a recommendation about which sections to move forward.
- b. Staff will also create a list of tasks and target dates if decision to move forward in 2020 (project plan).
- c. Staff will look at CE and begin bringing section with recommendations.

7. Public Comment

- a. There were no members of the public present.

8. Other Business

- a. Dziengel has been the MNCSWE representative for approximately 10 years and is stepping down from advisory committee. MCSWE has been informed and will be appointing a new representative.

9. Adjourn

- a. Meeting adjourned at 3:30 p.m.

2019 MEETING SCHEDULE

L&R Committee meets monthly, on the fourth Thursday, from 1:00 – 4:00 pm, unless otherwise noted. Meetings are open to the public under Minnesota Statutes Chapter 13D, and held at the Board office.

January 31, 1pm – 4pm	May 23	September 26
February 26, 3pm – 6pm	June 27	October 24
March 28, 1pm – 4pm	July 25	November 21
April 25	August 22	December 26

COMMITTEE CHARGE UNDER BOARD BYLAWS & 2015-2018 STRATEGIC PLAN

1. Determine need to conduct review “deep dive” of Social Work Practice Act MS 148E and remaining MS 148D provisions to ensure: 1) public protection 2) relevant regulation, 3) licensure mobility, 4) create operational efficiencies where possible, 5) identify and consider potential barriers, 6) consider overall workforce issues, 7) consider possible incorporation of technology standards into Practice Act – how board regulates technology in practice
2. Reference:
 - a. ASWB/NASW technology standards
 - b. ASWB Model Law
 - c. ASWB Mobility Strategy referendum
3. Work to repeal county social worker licensing exemption, including clarification of use of social work title in county agencies